IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 23RD MARCH 2007 / 2ND CHAITHRA 1929

Crl.MC.No. 845 of 2007()

ST.423/2006 of JUDL. MAGISTRATE OF FIRST CLASS COURT-I, PALAKKAD

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PETITIONER/ACCUSED:

DEVADAS, S/O. VELU, SIVA VILAS
KARAPATTA, KANNAMBRA, PALAKKAD.

BY ADV. SRI.VINOD KUMAR.C

RESPONDENT/RESPONDENT:

STATE, REP. BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 23/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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Crl.M.C.No. 845 of 2007

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Dated this the 23rd day of March, 2007

O R D E R

Against the petitioner, who faces indictment in a prosecution under Section 138 of the N.I. Act, a warrant of arrest has been issued by the learned Magistrate. The petitioner apprehends that when he surrenders, his application for bail may not be considered by the learned Magistrate on merits, in accordance with law and expeditiously.

2. I find this apprehension to be totally baseless. Sufficient general directions have already been issued by this Court in the decision in **Alice George** v. **Dy.S.P. of Police** (2003 (1) KLT 339). No special or specific direction appears to be necessary. Every court is bound to comply with the directions.

3. This Crl.M.C. is accordingly dismissed, but with the observation that the dictum in **Alice George** must be complied with by the learned Magistrate when the petitioner enters appearance and applies for bail.

(R. BASANT)

tm Judge